

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

NELSON CASTELLAR-PACHECO  
JOSE M. CORDERO-ACEVEDO,  
CARLOS M. DIAZ-LLORENS,  
MAYRA GARRIGA-ORTIZ,  
LUZVINA RUIZ-FIGUEROA,  
LUIS H. FELICIANO-ROSA,  
GUILLERMO DIAZ-MARTINEZ,  
RAFAEL FIGUEROA-PEREZ,  
EDWIN QUIÑONES-GARCIA,  
ROBERTO ROSARIO-ROBLEDO,  
JOHNNY SANTOS-QUIÑONES,  
JOSE A. VEGA-MATOS,  
GLIDDEN BARRIERA PEREZ,  
and JOSUE SOTO-SANTIAGO

Plaintiffs

vs

CIVIL 97-1423CCC

WALTER TORRES-MALDONADO,  
individually and as Mayor of the Municipality  
of Peñuelas; MIGUEL FIGUEROA-TORRES,  
individually and as the Director of Human  
Resources or Personnel; RENE OCASIO,  
individually and as Director of the Civil  
Defense; RAMON L. SEGARRA, individually  
and as Director of the Peñuelas Public Works  
Department; THE MUNICIPAL  
GOVERNMENT OF PEÑUELAS

Defendants

**ORDER**

Subsequent to the Court's Order filed on September 12, 2001 (**docket entry 153**) which denied the Motion for Judgment on Reinstatement filed by plaintiffs Nelson Castellar and Carlos M. Díaz-Lloréns (**docket entry 123**), the Court, on its own initiative, revisited the issue. Having reexamined the matter, the Court now VACATES its prior Order of September 12, 2001 only as to the denial of the reinstatement requested by plaintiff Nelson Castellar. The reinstatement requested by Mr. Castellar is GRANTED.

Plaintiff Díaz-Lloréns was working at the time of trial although he did not provide then or subsequent to trial any information on his duties or salary. Mr. Díaz-Lloréns' situation can

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also be distinguished from that of Mr. Castellar, who has not been able to obtain employment since 1997, in that the Mayor of Peñuelas, Mr. José Cedeño-Maldonado, who belonged to the same political party as Mr. Díaz-Lloréns, expressly pointed to the existence of several irregularities with regard to his appointment as radiological defense officer, a career position, and informed him that his position was considered to be of trust. These circumstances, as well as the absence of any criteria advanced by Mr. Díaz-Lloréns which would move the equities in his favor, lead the court to exercise its discretion against reinstatement in his case.

SO ORDERED.

At San Juan, Puerto Rico, on October 17, 2001.

  
CARMEN CONSUELO CEREZO  
United States District Judge

*s/co.*  
*Aldarondo*  
*Lopez-Soltero*  
*Rojas-Rivera*  
*10/19/01*